

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BLAKE MILLSAP,

Plaintiff,

vs.

NATIONAL ENTERPRISE SYSTEMS,

Defendant.

8:17CV341

ORDER

This matter is before the Court on the Rule 26(f) Report ([Filing No. 11](#)) prepared, filed, and signed by only counsel for Defendant. Defense counsel represents that he contacted Plaintiff's counsel prior to submitted the report, but received no response.

Pursuant to this Court's scheduling letter ([Filing No. 8](#)) filed on September 27, 2017, the parties were directed to meet and confer and provide the Court with a report of their conference on or before October 27, 2017, pursuant to Rule 26(f) of the Federal Rules of Civil Procedure. The scheduling letter directed counsel for Plaintiff to initiate the scheduling of the conference. A report filed by one party, without meeting and conferring with opposing counsel, does not satisfy the parties' obligations pursuant to Rule 26(f) and the scheduling letter. The Court expects the parties to file one report prepared using "Form 35 (Rule 26(f)) Report" posted on the Court's website. Accordingly,

IT IS ORDERED:

1. Defendant's Rule 26(f) Report ([Filing No. 11](#)) is stricken as incomplete.
2. On or before **November 9, 2017**, the parties shall meet and confer and provide the Court with a **joint** report of their conference pursuant to Rule 26(f). Failure to comply with this Court's order may result in appropriate sanctions pursuant to Fed. R. Civ. P. 16(f) and 37(b)(2)(A)(ii)-(vii).

Dated this 30th day of October, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge